HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

C.R. No.6639 of 2006
Date of decision : 12.12.2006.

Manav Jit Singh **.....Petitioner**

versus

Dev Raj and others **.....Respondents**

CORAM : HON'BLE MR. JUSTICE HEMANT GUPTA.

Present : Mr.Sanjay Verma, Advocate for the petitioner.

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ORDER

HEMANT GUPTA, J. (Oral)

The challenge in the present revision petition is to the order dated 31.10.2006, passed by the learned trial Court, whereby an application filed by the petitioner for permission to file written statement, was declined.

In a reference under Section 30 of the Land Acquisition Act, 1894, the petitioner put in appearance before the learned trial Court on 13.2.2002 and he was given time to file reply on 6.3.2002. Since no reply was filed on 6.3.2002, the matter was adjourned to 1.4.2002. Even on 1.4.2002, reply was not filed but the issues were framed by the learned trial Court on the said date. Thereafter, the parties led their evidence including the present petitioner. Subsequently, an application was filed on 31.8.2006 to withdraw certain admissions made by the petitioner Manav Jit Singh in his testimony on 10.8.2006. Said application was dismissed on 29.9.2006 as the request of the petitioner has to withdraw the admission from the statement made before the Court. Thereafter, the

petitioner filed an application for permission to file written statement. The learned trial Court found that issues were framed way back on 1.4.2002 and thereafter the petitioner has led his evidence. In fact, the application for withdrawal of the admission was declined on 29.9.2006, therefore, the present application is another attempt to withdraw the admission made by the petitioner Manav Jit Singh in his testimony. It has been further held that the application has been filed with an ulterior motive to linger on the proceedings.

In view of the above, I do not find any irregularity or irregularity in the order passed by the learned trial Court, which may warrant interference by this Court in exercise of its revisional jurisdiction.

Dismissed in limine.

(HEMANT GUPTA)
JUDGE

December 12, 2006
**mohinder*